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TRANSMITTAL FORM

(to be used for all correspondence after initial filing)

Application Number	10/679,815
Filing Date	October 6, 2003
First Named Inventor	John R. White
Art Unit	3738
Examiner Name	Christopher D. Prone
Total Number of Pages in This Submission	
Attorney Docket Number	5490-000312

ENCLOSURES *(check all that apply)*

- ☐ Fee Transmittal Form
  - ☐ Fee Attached
- ☐ Amendment / Reply
  - ☐ After Final
  - ☐ Affidavits/declaration(s)
- ☐ Extension of Time Request
- ☐ Express Abandonment Request
- ☐ Information Disclosure Statement
- ☐ Certified Copy of Priority Document(s)
- ☐ Response to Missing Parts/ Incomplete Application
  - ☐ Response to Missing Parts under 37 CFR 1.52 or 1.53
- ☐ Drawing(s)
- ☐ Licensing-related Papers
- ☐ Petition
- ☐ Petition to Convert to a Provisional Application
- ☐ Power of Attorney, Revocation Change of Correspondence Address
- ☐ Terminal Disclaimer
- ☐ Request for Refund
- ☐ CD, Number of CD(s) _____
- ☐ After Allowance Communication to Technology Center (TC)
- ☐ Appeal Communication to Board of Appeals and Interferences
- ☐ Appeal Communication to TC **(Appeal Notice, Brief, Reply Brief)**
- ☐ Proprietary Information
- ☐ Status Letter
- ☒ Other Enclosure(s) *(please identify below)*:

  Response to Restriction Requirement; and return postcard.

Remarks

The Commissioner is hereby authorized to charge any additional fees that may be required under 37 CFR 1.16 or 1.17 to Deposit Account No. 08-0750. A duplicate copy of this sheet is enclosed.

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm *or* Individual name	Harness, Dickey & Pierce, P.L.C.	Attorney Name Richard W. Warner	Reg. No. 38,043
Signature			
Date	July 6, 2006		

CERTIFICATE OF TRANSMISSION/MAILING

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PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application No.:	10/679,815
Filing Date:	October 6, 2003
Applicant:	John R. White
Group Art Unit:	3738
Examiner:	Christopher D. Prone
Title:	METHOD AND APPARATUS FOR USE OF A NON-INVASIVE EXPANDABLE IMPLANT
Attorney Docket:	5490-000312

Director of the United States Patent
and Trademark Office
P.O. Box 1450
Alexandria, VA 22313-1450

RESPONSE TO ELECTION/RESTRICTION REQUIREMENT

Sir:

In response to the Restriction Requirement dated June 15, 2006, for which the time period to respond extends to July 15, 2006, Applicant elects the invention of Group I (Claims 1-28 and 35) with traverse.

The Examiner is requested to reconsider the Restriction Requirement since it appears that the subject matter defined within all the groups of claims are similar. Consequently, the field of search for each group should be essentially coextensive. Thus, the burden on the Examiner will not be significant to maintain each group of claims in this application.

Should the Examiner have any further questions regarding the election, the Examiner is courteously requested to contact the undersigned at the Examiner's earliest convenience.

Respectfully submitted,

HARNESS, DICKEY & PIERCE, P.L.C.
Attorney for Applicant

Dated: July 6, 2006

Richard W. Warner
Reg. No. 38,043

P.O. Box 828
Bloomfield Hills, MI 48303
(248) 641-1600